IN THE HIGH COURT OF JUDICATURE AT PATNA
CR.MISC. NO.36025 OF 2008

ARUN KUMAR
S/O RAJENDRA CHOUDHARY
R/O VILLAGE JADHUA, KUMHAR TOLI,
P.S. TOWN HAJIPUR
DISTRICT - VAISHALI

VERSUS

THE STATE OF BIHAR

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2. 01.10.2008 Heard learned counsel for the petitioner and the State.

Petitioner is an accused in a case for the offences registered under Sections 420 and 323 of the Indian Penal Code.

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It is submitted that the present complaint has been lodged for ulterior purpose. It is further submitted that as a matter of fact, husband of the complainant is a broker with regard to the purchase and sale of land and in that connection, for purchase of land, petitioner paid different amounts on different dates as detailed in Annexure-2. However, between the period 5.08.2003 to 10.07.2005, husband of the complainant failed to arrange any land and on being persistent demand, the present complaint has been lodged alleging that this petitioner had taken the money in question from the complainant for arranging a job for her in the office of Bihar Public Service Commission in the year 2001 and on being demand by the complaint to return money, the

petitioner allegedly assaulted.

Learned counsel for the State on perusal of the annexure-2 is not in a position to refute the submissions on behalf of the petitioner.

Considering the submissions as made above and the facts and circumstances of the case, it is directed that in the event of arrest or surrender within a period of six weeks from today, the petitioner named above be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Judicial Magistrate, Hajipur, Vaishali in connection with Complaint Case No. 2223 of 2006 subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

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Jagdish **(Shailesh Kumar Sinha,J)**